

**MOUNTAIN COAL COMPANY, LLC**  
**West Elk Mine**  
**P.O. Box 591**  
**5174 Highway 133**  
**Somerset, CO 81434**

OK  
**RECEIVED**

OCT 23 2002

DIVISION OF  
OIL, GAS AND MINING

October 4, 2002

Pamela Grubaugh-Littig  
Permit Supervisor  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

*NEW Bond Release*  
*Incsing*  
*C/007/016*

Re: Application for Final Bond Release Sweet's Pond Area Gordon Creek No. 2/7/8 Mines  
ACT/007/016, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

In accordance with the provisions of R645-301-880, Mountain Coal Company is herein requesting a Final Bond Release on the Sweet's Canyon Pond Area within the Gordon Creek No. 2/7/8 Mines Permit Area.

As indicated in section 3.5.3.3 (page 3-32) of the Gordon Creek 2/7/8 Mine Permit, there are no plans to reclaim the Sweet's Canyon Water Fill Area. The pond is located on private land, and the landowner has requested the pond to be left intact and as is for private use. A copy of the landowner request is included with this submittal.

The area surrounding the pond has been revegetated for greater than 10 years, and the success of the revegetation has been verified over 2 consecutive years (1996 - 1997) and rechecked per Division request in 2000. Copies of the 2000 vegetation studies are also included with this submittal. If additional calculations are required, please let me know.

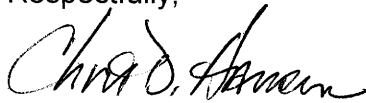
Mountain Coal Company is not requesting any decrease in the bond amount posted for the Gordon Creek No. 2/7/8 Mines as a result of this submittal, since there are no reclamation plans and therefore, no calculated bond costs for the Sweet's Pond Area. The main reason for this request for Final Bond Release is because the pond area is isolated from the main reclaimed area, and its elimination will allow Mountain Coal Company to proceed with its phased Bond Release requests for the main permit area.

The disturbed area associated with Sweet's Pond is 0.73 acres. This amounts to approximately 2.09% of the total 34.88 disturbed acres for the entire 2/7/8 mine site. A map of the existing permit area and the Sweet's Pond Area is included with this submittal.

Copies of letters for notification to land owners, agencies, and water companies in the area are enclosed. A copy of the newspaper advertisement to be placed along with submittal of this application is also enclosed. This advertisement will run for four consecutive weeks in the local area paper. Proof of publication will be forwarded to you upon receipt.

It is our hope this application will meet with your approval. If you have any questions, or need any further information, please let me know.

Respectfully,

A handwritten signature in cursive script, appearing to read "Chris Hansen".

Chris Hansen

Project Representative

Encl.

cc: Phil Schmidt  
Dan Guy  
File

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☐ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☒ Transfer ☐

Permittee: Mountain Coal Company

Mine: Gordon Creek 2/7/8 Mines

Permit Number: C/007/016

Title: Final Bond Release Application - Sweet's Pond Area

Description, Include reason for application and timing required to implement:

Requested by the Division to File Phase 3 release for Sweet's Pond with Phase 1 Release for remainder of mine area

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: \_\_\_ Disturbed Area: \_\_\_ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# \_\_\_
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☒ Yes ☐ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # \_\_\_
- ☒ Yes ☐ No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: Request by Division.

- ☒ Yes ☐ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☒ Yes ☐ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Chris D. Hansen  
Print Name

Chris D. Hansen Project Supervisor 10-16-02  
Sign Name, Position, Date

Subscribed and sworn to before me this 16 day of October, 2002

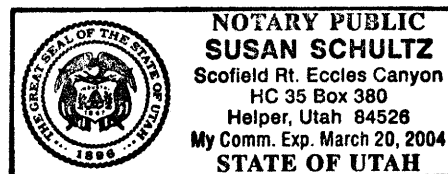
Susan Schultz  
Notary Public

My commission Expires: 3-20, 2004

Attest: State of Utah

County of Carbon

SS:



For Office Use Only:

Assigned  
Tracking  
Number:

Received By: Oil, Gas & Mining

SEP 23 2002

DIVISION OF

OIL, GAS AND MINING

## Form DOGM - C2 (Revised March 12, 2002)